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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/608,196

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12/29/2004

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EXAMINER

PATEL, DHIRUBHAI R

ART UNIT

PAPER NUMBER

2831

DATE MAILED: 12/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/608,196

Applicant(s)

YOSHIDA ET AL.

Examiner

DHIRU R PATEL

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103 (a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

1. Claims 1-3, 5-9 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Nakayama et al (4,818,236) in view of Faulconer (3,668,301).

Nakayama et al disclose:

Regarding claim 1, a circuitry assembly, comprising:

a plurality of first electric wires 6(1) through 6(4), forming a first wire group (see fig 2); a plurality of second electric wires 9(1) through 9(4), intersecting the first electric wires (see fig

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2), while forming a second wire group; a first insulative sheet 8, disposed between the first wire group and the second wire group (see fig 2); but fails to disclose a wiring member which holds both of the first electric wires and the second electric wires. Faulconer teaches the use of a wiring member 51 which holds both of the first electric wires 52 and the second electric wires 59 (see fig 4) in order for holding a large number of wires for inspection and relocation of improperly placed wires as well as permanent connection can be made (see column 2 lines 1-6). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Nakayama et al with a wiring member as taught by Faulconer in order for holding a large number of wires for inspection and relocation of improperly placed wires as well as permanent connection of wires can be made.

Regarding claim 2, the modified assembly of Nakayama disclose all of the claimed features as shown above, including the first insulative sheet is formed with at least one opening 7 located corresponding to at least one intersecting point at which one of the first electric wires and one of the second electric wires are electrically connected (see fig 2 of Nakayama).

Regarding claim 3, the modified assembly of Nakayama et al shows all the features of the claimed invention as shown above, including several flat conductors arranged on an insulating sheet (see column 3 lines 14-16 of Nakayama), but fails to disclose further comprising a second insulative sheet, disposed between the wiring member and the second wire group. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the modified assembly of Nakayama with a second insulative

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sheet, disposed between the wiring member and the second wire group, since it has been held that mere duplication of the essential working parts of a device involves only routine skill in the art. *St. Regis Paper Co. v. Bemis Co.*, 193 USPQ 8.

Regarding claim 5, the modified assembly of Nakayama et al shows all the features of the claimed invention as shown above, but fails to disclose the first insulative sheet is provided as a flexible film. it would have been an obvious matter of design choice to use the first insulative sheet is provided as a flexible film, since applicant has not disclosed that the first insulative sheet being provided as a flexible film solves any stated problem or is for any particular purpose and it appears that the invention would perform equally well with if designed with the first insulative sheet is provided as a flexible film of the modified assembly of Nakayama et al.

Regarding claim 6, the modified assembly of Nakayama et al shows all the features of the claimed invention as shown above, but fails to disclose the first insulative sheet is comprised of either polyethylene terephthalate or polyethylene naphthalate. It would have been obvious to one having ordinary skill in the art at the time the invention was made to provide the assembly of Nakayama et al with the first insulative sheet is comprised of either polyethylene terephthalate or polyethylene naphthalate, since it has been held to be within the general skill of a worker in the art to select a known material on the basis of its suitability for the intended use as a matter of obvious design choice. *In re Leshin*, 125 USPQ 416.

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Regarding claim 7, the modified assembly of Nakayama shows all of the claimed features as shown above, including wherein at least one of the first electric wires and the second electric wires is plated with tin (inherent properties of wires).

Regarding claim 8, the modified assembly of Nakayama shows all of the claimed features as shown above, including wherein the wiring member is formed with a plurality of grooves each partly holding one of the first electric wires or one of the second electric wires (grooves for inserting the wires, see fig 4 of Faulconer).

Regarding claim 9, the modified assembly of Nakayama shows all of the claimed features as shown above, including an electric junction box, comprising: a casing body 10, a first terminal 12, to which each one of the first electric wires held by the wiring member is press-fitted to be electrically connected therewith (see fig 4D and entire column 3 of Nakayama); and a second terminal 13, to which each one of the second electric wires held by the wiring member is press-fitted to be electrically connected therewith (see fig 3 and entire column of Nakayama).

Allowable Subject Matter

2. Claims 4 and 10 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

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The primary reason for the indication of the allowability of claims 4 and 10 are the inclusion therein, in combination as currently claimed, of the limitation of the second insulative sheet is formed with a plurality of grooves which respectively receive the second electric wires (for claim 4), and further comprising a cover, formed with a plurality of grooves which respectively receive the first electric wires (for claim 10).

The previously listed limitation is neither disclosed nor taught by the prior art of record, alone or in combination.

Conclusion

3. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Response to Arguments

4. Applicant's arguments with respect to claims 1-3, 5-9 have been considered but are moot in view of the new ground(s) of rejection.

Contact information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dhiru Patel whose telephone number is 571-272-1983. The examiner can normally be reached on Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dean Reichard can be reached on 571-272-2800 ext 31. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see <http://pairedirect.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll free).

Dhiru Patel
Primary Examiner
Group Art Unit 2831
December 27, 2004


DHIRU R. PATEL
PRIMARY EXAMINER
12/27/04